IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

WP(C).No. 22647 of 2006(U)

PETITIONER:

K.R.BEEGUM, AGED 33 YEARS,
W/O. ABOO SALIH, (FORMER HIGH SCHOOL ASSISTANT (ARABIC), M.S.P. HIGHER SECONDARY SCHOOL, MALAPPURAM), RESIDING AT KUZHIKKAD HOUSE, ATHANIKKAL P.O., VALLUVAMBRAM, MALAPPURAM DISTRICT.

BY ADV. SRI.V.A.MUHAMMED

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARIAT, TRIVANDRUM.

2. THE DISTRICT EDUCATIONAL OFFICER, MALAPPURAM.

3. THE COMMANDANT/MANAGER, M.S.P. HIGHER SECONDARY SCHOOL, OFFICE OF THE COMMANDANT, MALABAR SPECIAL POLICE, MALAPPURAM.

ADDL. R4 IMPLEADED.

4. SALEENA C.P., HSA (ARABIC) MSP HIGHER SECONDARY SCHOOL, MALAPPURAM IS IMPLEADED AS PER ORDER DT. 15.11.2006 IN I.A. 15590/2006.

R1 & R2 BY GOVT. PLEADER SRI. T.T. MUHAMMED.
R3 BY ADV. SRI.P.C.SASIDHARAN
R4 BY ADV. SRI. P.K. VIJAYAMOHANAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC 22647/2006.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF THE ORDER OF APPOINTMENT OF THE PETITIONER AND APPROVAL THEREOF.

EXT. P2 : TRUE COPY OF THE GO.(P) NO.187/2005 G. EDN. OF THE GOVERNMENT.

EXT. P3 : TRUE COPY OF THE DECISION OF THIS HON'BLE COURT REPORTED IN 1994(1) K.L.T. 321.

EXT. P4 : TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN W2.P. (C) NO.9792/2006-N.

EXT. P5 : TRUE COPY OF THE ORDER NO.B3/1891/06/L.DIS. OF THE DIST. EDL. OFFICER.

EXT. P6 : TRUE COPY OF THE ORDER NO.B3/4110/06/L.DIS. OF THE DIST. EDL. OFFICER.

EXT. P7 : TRUE COPY OF THE DECISION REPORTED IN I.L.R. 2006(3) KER.247.

EXT. P8 : TRUE COPYOF THE ORDER NO.22243/J2/2006/G. EDN. OF THE GOVERNMENT.

EXT. P9 : TRUE COPY OF THE ORDER NO.G1(b)/9807/2006-M OF THE THIRD RESPONDENT.

EXT. P10 : TRUE COPY OF THE REQUEST OF THE PETITIOENR.

EXT. P11 : TRUE COPY OF THE REVISION PETITION FILED BEFORE THE GOVERNMENT.

RESPONDENTS' EXTS.

EXT. R3(a) : TRUE COPY OF THE ORDER OF THE D.P.I. DATED 14.1.2002.

EXT. R3(b) : TRUE COPY OF THE ORDER ISSUED BY THE MANAGER DATED 31.7.2006.

EXT. R3(c) : TRUE COPYOF THE PROCEEDINGS OF THE D.E.O. DATED 6.2.2006.

EXT. R4(a) : TRUE COPY OF THE PROCEEDINGS NO.K.DIS. B3/5317/06 DATED 17.10.2006 OF THE 2ND RESPONDENT.

K.M.JOSEPH, J.

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WP.(C) No.22647 OF 2006

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Dated this the 7th day of December, 2006

JUDGMENT

Petitioner is aggrieved by Ext.P9. Against Ext.P9, petitioner has preferred Ext.P11 revision purported to be under Rule 92 of Chapter XIVA KER. In view of the fact that petitioner has approached the Government under Rule 92 of Chapter XIVA KER, I feel that the petitioner should be relegated to the pursuit of the said remedy.

In such circumstances, the writ petition is disposed of directing the first respondent to consider and take a decision on Ext.P11 in accordance with law after hearing all the affected parties within a period of ten weeks from the date of receipt of a copy of this judgment. It is open to the Manager to urge that the revision is not maintainable.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.